

1 ENGROSSED SENATE
2 BILL NO. 1649

By: Daniels of the Senate

3 and

4 West (Kevin) of the House

5
6 [electricians - Electrical License Act - certain
7 license and certification - codification - effective
8 date]
9

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 59 O.S. 2011, Section 1682, as
12 amended by Section 1, Chapter 17, O.S.L. 2018 (59 O.S. Supp. 2019,
13 Section 1682), is amended to read as follows:

14 Section 1682. A. As used in the Electrical License Act:

15 1. "Board" means the Construction Industries Board;

16 2. "Committee" means the Committee of Electrical Examiners
17 appointed by the Board;

18 3. "Electrical apprentice" means any person sixteen (16) years
19 of age or older whose principal occupation is the learning of and
20 assisting in the installation of electrical work under the direct
21 supervision of a licensed journeyman electrician or electrical
22 contractor;

23 4. "Journeyman electrician" means any person other than an
24 electrical contractor who engages in the actual installation,

1 alteration, repair or renovation of electrical facilities or
2 electrical construction work unless specifically exempted by the
3 provisions of the Electrical License Act;

4 5. "Electrical contractor" means any person skilled in the
5 planning, superintending and practical installation of electrical
6 facilities who is familiar with the laws, rules and regulations
7 governing such work. Electrical contractor also means any
8 individual, firm, partnership, corporation, limited liability
9 company, or business performing skills of an electrical contractor
10 or an electrician or the business of contracting, or furnishing
11 labor or labor and materials for the installation, repair,
12 maintenance or renovation of electrical facilities or electrical
13 construction work according to the provisions of the Electrical
14 License Act;

15 6. "Electrical facilities" means all wiring, fixtures,
16 appurtenances, and appliances for, and in connection with, a supply
17 of electricity within or adjacent to any building, structure or
18 conveyance on the premises but not including the connection with a
19 power supply meter or other power supply source;

20 7. "Category" means the classification by which licenses and
21 electrical work may be limited. Such categories shall include but
22 shall not be limited to installation, maintenance, repair,
23 alteration, residential, oilfield, and commercial;

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1 8. "Temporary journeyman electrician" means any person other
2 than a person permanently licensed as a journeyman electrician or
3 electrical contractor in this state who meets the temporary
4 licensure requirements of Section 1685.1 of this title;

5 9. "Variance and Appeals Board" means the Oklahoma State
6 Electrical Installation Code Variance and Appeals Board;

7 10. "Electrical construction work" means installation,
8 fabrication or assembly of equipment or systems included in
9 "premises wiring" as defined in the National Electrical Code
10 (reference 158:40-1-4. Standard of Installation), and which is
11 hereby adopted and incorporated by reference. Electrical
12 construction work includes, but is not limited to, installation of
13 raceway systems used for any electrical purposes, and installation
14 of field-assembled systems such as ice and snow melting, pipe-
15 tracing, and manufactured wiring systems. Electrical construction
16 work shall not include in-plant work performed by employees of the
17 company owning the plant, work performed by telecommunications
18 employees for telecommunications companies, or installation of
19 factory-assembled appliances or machinery which is not part of the
20 premises wiring unless wiring interconnections external to the
21 equipment are required in the field; ~~and~~

22 11. "Electrical work" means work consisting primarily of the
23 layout, installation, maintenance, repair, testing or replacement of
24 all or part of electrical wires, conduits, apparatus, fixtures,

1 appliances or equipment for transmitting, carrying, controlling or
2 using electricity in, on, outside or attached to a building,
3 structure, property or premises. Electrical work shall not mean
4 work that is related to or facilitates the construction,
5 installation or maintenance of all or part of an electrical system,
6 but which does not involve actual work with any of the electrical
7 components provided in this definition;

8 12. "Student electrical intern" means any person sixteen (16)
9 years of age or older who complies with the requirements for
10 registration under Section 1686 of this title; and

11 13. "Listed electrical apprentice" means any person who can
12 demonstrate ten thousand (10,000) hours of experience as an
13 electrical apprentice and who complies with the requirements for
14 licensure under Section 1686 of this title.

15 B. Class 2 and Class 3 circuits shall be exempt from the
16 requirements of electrical licensing of either an electrical
17 contractor or a journeyman electrician, provided the work is
18 performed in accordance with the National Fire Protection
19 Association 70 requirements for Class 2 and Class 3 circuits.

20 SECTION 2. AMENDATORY 59 O.S. 2011, Section 1685, is
21 amended to read as follows:

22 Section 1685. A. The Construction Industries Board shall issue
23 a license as journeyman electrician or electrical contractor to any
24 person who:

1 1. Has been certified by the Committee of Electrical Examiners
2 as either having successfully passed the appropriate examination or
3 having a valid license issued by another governmental entity with
4 licensing requirements similar to those provided in the Electrical
5 License Act;

6 2. Has paid the license fee and otherwise complied with the
7 provisions of the Electrical License Act; and

8 3. Has, when required by the Board, provided such documents,
9 statements or other information as may be necessary to submit to a
10 national criminal history record check as defined by Section 150.9
11 of Title 74 of the Oklahoma Statutes.

12 B. The Construction Industries Board shall issue a license as a
13 listed electrical apprentice to any person who has been certified by
14 the Committee of Electrical Examiners as having ten thousand
15 (10,000) or more verifiable hours of experience as an electrical
16 apprentice and who has paid the license fee and otherwise complied
17 with the provisions of the Electrical License Act. The fee for
18 licensure as a listed electrical apprentice shall be the same as for
19 registration of electrical apprentices.

20 C. All licenses shall be nontransferable and it shall be a
21 misdemeanor for any person licensed under the provisions of the
22 Electrical License Act to loan or allow the use of such license by
23 any other person, firm or corporation, except as specifically
24 provided in the Electrical License Act.

1 SECTION 3. AMENDATORY 59 O.S. 2011, Section 1686, is
2 amended to read as follows:

3 Section 1686. A. The Construction Industries Board shall, upon
4 proper application and payment of fee, register as an electrical
5 apprentice and issue a certificate of such registration to any
6 person who furnishes satisfactory proof to the Board that the
7 applicant is:

8 1. Sixteen (16) years of age or ~~over~~ older; and

9 2. Enrolled in a school or federal training program for
10 electrical apprentices recognized by the Board, or employed as an
11 electrical apprentice with an active licensed electrical contractor.

12 B. The Construction Industries Board shall, upon proper
13 application and payment of fee, register as a student electrical
14 intern and issue a certificate of such registration to any person
15 who furnishes satisfactory proof to the Board that the applicant is:

16 1. Sixteen (16) years of age or older; and

17 2. Enrolled in high school and enrolled in a work-ready or
18 similar program recognized by the Board.

19 C. All applications for examination, license or renewal of
20 license shall be made in writing to the Board on forms provided, if
21 necessary, by the Board. All applications shall be accompanied by
22 the appropriate fee.

23 ~~C.~~ D. Apprentices and student electrical interns, when required
24 by the Board, shall provide such documents, statements or other

1 information as may be necessary to submit to a national criminal
2 history record check as defined by Section 150.9 of Title 74 of the
3 Oklahoma Statutes.

4 SECTION 4. AMENDATORY 59 O.S. 2011, Section 1688, is
5 amended to read as follows:

6 Section 1688. A. No license shall be issued for longer than
7 one (1) year, and all licenses shall expire on the last day in the
8 birth month of the licensee. A license may be renewed upon
9 application and payment of fees thirty (30) days preceding or
10 following the date the license is due. Licenses renewed more than
11 thirty (30) days following the date of expiration may be renewed
12 only upon application and payment of all required fees and payment
13 of any penalty for late renewal established by the Board and upon
14 compliance with any applicable continuing education requirements
15 established by the Board and ~~this act~~ the Electrical License Act.
16 No penalty for late renewal shall be charged to any holder of a
17 license which expires while the holder is in military service, if an
18 application for renewal is made within one (1) year following the
19 service discharge of the holder.

20 B. No listed electrical apprentice, journeyman or contractor
21 license shall be renewed unless the licensee has completed the
22 required hours of continuing education, as determined and approved
23 by the Committee of Electrical Examiners and approved by the
24 Construction Industries Board. The required hours of continuing

1 education for a listed electrical apprentice shall be the same as
2 required for a journeyman.

3 C. An apprentice registration certificate or a student intern
4 registration certificate shall be issued for one (1) year, at which
5 time the apprentice may reregister upon meeting the requirements of
6 the Construction Industries Board and paying the renewal fee.

7 SECTION 5. AMENDATORY 59 O.S. 2011, Section 1689, as
8 amended by Section 23, Chapter 313, O.S.L. 2015 (59 O.S. Supp. 2019,
9 Section 1689), is amended to read as follows:

10 Section 1689. A. The Construction Industries Board or its
11 designee and the Committee of Electrical Examiners shall act as the
12 Electrical Hearing Board and shall comply with the provisions of
13 Article II of the Administrative Procedures Act, Section 308a et
14 seq. of Title 75 of the Oklahoma Statutes.

15 B. Any administrative hearing on suspensions, revocations or
16 fines shall be conducted by a hearing examiner appointed by the
17 Board. The hearing examiner's decision shall be a final decision
18 which may be appealed to a district court in accordance with the
19 Administrative Procedures Act.

20 C. The Electrical Hearing Board may, upon its own motion, and
21 shall, upon written complaint filed by any person, investigate the
22 business transactions of any electrical contractor, journeyman
23 electrician or, electrical apprentice, listed electrical apprentice,
24 student electrical intern or poultry house contractor license. Upon

1 a finding by clear and convincing evidence, the Board shall suspend
2 or revoke any license or registration obtained by false or
3 fraudulent representation. Upon a finding by clear and convincing
4 evidence, the Board shall also suspend or revoke any license or
5 registration for any of the following:

6 1. Making a material misstatement in the application for a
7 license or registration, or the renewal of a license or
8 registration;

9 2. Loaning or illegally using a license;

10 3. Demonstrating incompetence to act as a journeyman
11 electrician or electrical contractor;

12 4. Violating any provisions of the Electrical License Act, or
13 any rule or order prescribed by the Board or any ordinance for the
14 installation of electrical facilities made or enacted by a city or
15 town by authority of the Electrical License Act;

16 5. Willfully failing to perform normal business obligations
17 without justifiable cause; or

18 6. Failing to maintain a registration or license as required by
19 law in another state while registered in this state as a nonresident
20 contractor.

21 D. Any person whose license or registration has been revoked by
22 the Electrical Hearing Board may apply for a new license one (1)
23 year from the date of such revocation.

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1 E. Notwithstanding any other provision of law, a political
2 subdivision of this state that has adopted a nationally recognized
3 electrical code and appointed an inspector pursuant to the
4 provisions of Section 1693 of this title or pursuant to the
5 provisions of the Oklahoma Inspectors Act for such work shall have
6 jurisdiction over the interpretation of the code and the
7 installation of all electrical work done in that political
8 subdivision, subject to the provisions of the Oklahoma Inspectors
9 Act. Provided, a state inspector may work directly with an
10 electrical contractor, journeyman electrician or electrical
11 apprentice, listed electrical apprentice, student or electrical
12 intern in such a locality if a violation of the code creates an
13 immediate threat to life or health.

14 F. In the case of a complaint about, investigation of, or
15 inspection of any license, registration, permit or electrical work
16 in any political subdivision of this state which has not adopted a
17 nationally recognized electrical code and appointed an inspector
18 pursuant to the provisions of Section 1693 of this title or pursuant
19 to the provisions of the Oklahoma Inspectors Act for such work, the
20 Construction Industries Board shall have jurisdiction over such
21 matters.

22 G. 1. No individual, business, company, corporation,
23 association or other entity subject to the provisions of the
24 Electrical License Act shall install, modify or alter electrical

1 facilities in any incorporated area of this state which has not
2 adopted a nationally recognized electrical code and appointed an
3 inspector pursuant to the provisions of Section 1693 of this title
4 or pursuant to the provisions of the Oklahoma Inspectors Act for
5 such work without providing notice of such electrical work to the
6 Construction Industries Board. A notice form for reproduction by an
7 individual or entity required to make such notice shall be provided
8 by the Construction Industries Board upon request.

9 2. Notice to the Construction Industries Board pursuant to this
10 subsection shall not be required for electrical maintenance or
11 replacement of existing electrical appliances or fixtures or of any
12 petroleum refinery or its research facilities.

13 3. Enforcement of this subsection is authorized pursuant to the
14 Electrical License Act, or under authority granted to the
15 Construction Industries Board.

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1699 of Title 59, unless there
18 is created a duplication in numbering, reads as follows:

19 A. As long as a journeyman or electrical contractor is on the
20 job site, no listed electrical apprentice shall be counted against
21 the maximum number of apprentices who are allowed by law or
22 regulation to work under the supervision of a single journeyman or
23 contractor.

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1 B. A listed electrical apprentice shall not be allowed to
2 supervise a student electrical intern or an electrical apprentice.

3 C. One student electrical intern is allowed to work on a job
4 site under a single journeyman or electrical contractor; provided,
5 however, that no such student electrical intern shall be counted
6 against the maximum number of apprentices who are allowed by law or
7 regulation to work under the supervision of a single journeyman or
8 contractor.

9 D. Two listed electrical apprentices are allowed to work on a
10 job site under a single journeyman or electrical contractor;
11 provided, however, that no such listed electrical apprentice shall
12 be counted against the maximum number of apprentices who are allowed
13 by law or regulation to work under the supervision of a single
14 journeyman or contractor.

15 SECTION 7. This act shall become effective November 1, 2020.

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1 Passed the Senate the 10th day of March, 2020.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2020.

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8 _____
9 Presiding Officer of the House
10 of Representatives